

Good Local Governance (GLG) Construction: The Relation of Rules, Services and Community Welfare

Bintoro Wardiyanto

School of Human Resources Development, Graduate Program of Airlangga University, Surabaya 60286,
 Indonesia.

Tel: 61-031-8057642. Email: bintorowardiyanto@yahoo.com.

Abstract

Through a decentralized governance system changes, the term *good local governance* (GLG), become increasingly important as a new entity of local government. These changes have an impact on the changing roles, patterns, and the nature of the authority of government itself.

Although the decentralized system which followed by a global transformation has been able to generate economic improvements, public services and community welfare at the local level, However many found various obstacles and problems, such as the widespread conflicts of interest among organizational units, the difficulty of coordination between levels of government, the horizontal spread of the conflict between the government and local communities, especially in the electoral process and the establishment of regional leaders.

To local government is able to realize GLG, then the required values and norms that are recognized by the local apparatus. Basing the construction of the apparatus, the value of GLG believed officials had relationships with four categories, like: 'the law and rule enforcement'; 'accountability and transparency'; 'excellent service'; nor 'empowerment and community welfare'

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1. Introduction

The emergence of understanding such diverse ideology of neoliberalism, neoinstitutionalism, corporate global capitalism, political pluralism, economic globalization, global cultural convergence and advent of information technology signifies a new world order as a way of thinking and how to act. As an external reality, the presence of a new world order has forced and encouraged diverse global reform movement, both concerning to the scope, role, authority and networking among government agencies, private sector and communities.

According Kartono (2006), there are 4 (four) large variables that drives the emergence of global reform, like: 1) Political: superiority of democracy and public power and superiority of political pressure system causing the market in various countries around the world to transform the role of government to reduce the role and function, 2) Social: few countries in the world have undergone fundamental social change, like reconstruct the legal order, economic, social and politic which is characterized by a fundamental change from industrial society to an information society. This change requires a change in government in every country around the world, 3) Economic: the global economic crisis in the 1990s, demanding the countries around the world to reform in taxation to attract investors in, and also take privatization steps in response to the economic pressures. 4) Institutional: all countries of the world have become part of the global economic and political system. This condition is characterized by the development of institutions outside of the country, such as the *World Bank*, IMF, WTO, ADB governing globalization.

As response to global change agenda, the government of Indonesia has taken a strategic step, which attempts to rearrange the bureaucratic system of government. With the issuance, Law No. 22/1999 on Regional Governance and Law 25/1999 on Financial Balance between Central and Local Government, the legal-formal bureaucratic system of government has changed from centralized systems toward the decentralization system. In line with the implementation of a decentralized system, it has been a lot of changes taking place, the improvement of public services, improvement of public welfare, the expansion process of democratization and the unequal development in the region.

In addition, decentralization also meant to turn the power on local governments who will bear democratization, awareness and a greater sense of engagement with local policies and ensure efficiency in service bureaucracy. For the Seller (2007), there are two reasons: 1) the power of local governments more credible in the provision of services to bring in more ambitious goal-*welfare state*, 2) the power of local governments have been able to ensure the support of the community and also the provision of political resources required to achieve long-term program on *egalitarian welfare state*.

Nevertheless, the implementation of decentralization in Indonesia also spawned much criticism and varied problems. First, there has been a decline in the quality of governance because many executives and board members have less responsibilities increase. Second, decentralization encourages the formation of new identities

that weaken national unity as well as the many communal conflicts nor the head from area native son. Third, the capacity of resource officers in the area is still weak, especially to be able to be professional and competent. For Crouch (2003), decentralization has produced a variety of interreligious and interethnic conflicts, even the security forces tend to be involved in regional conflicts. Despite a serious conflict, but Indonesia is not included in the category of "*Failed States*". Only, the function of government / state does not work effectively, or often referred to as "Weak State", in which the central government continued to function but their authority is limited.

Bureaucratic institution which was originally formed to solve public problems eventually became "*bureaupathologies*". Weaknesses of bureaucratic institutions, seems supported by the weak performance and professionalism of the personnel resources, both in terms of quantity and quality. According BKN (2009), has identified four (4) potential challenges of staffing in the future, namely: 1) *Polarization Management Authority Civil Service Management*. The tendency of the Civil Service management is increasing since the reform era running up to now. 2) *Excess Implementation of Regional Autonomy*. Implementation of the authority to manage local resources, including human resources, raising excesses in the practice of management of the Civil Service. The excess in question is a regional egoism which tends to hamper efforts to employee training and career development in the form of promotions, rotations / movements across district, district-provincial, inter-provincial and inter-regional-center or vice versa. 3) *Practice Spoil System in Development of Civil Servants*. A form of career development (recruitment, promotion and transfer) employees relating to "reward" the contribution of certain parties in the bureaucracy for the success of a political figure becomes official personnel builder. 4) *Inconsistency in policy implementation of the Civil Service Management*. Mandate employment legislation clearly asserts, that coaching is directed at civil servants Civil Servants professionalism competency-based, with an emphasis on work performance, however, the policy appears likely not aligned with the direction of policy as mandated by legislation (recruitment Human Resources specific to the Civil Service without selection competence).

2. Research Methodology

Constructivist perspective tends to put researchers as a constructor of reality, the approach of this study in the qualitative research. Qualitative research is considered more *feasible* in the social and behavioral sciences as they relate to the interaction and interrelation in human behavior and the role of both the organizations, groups and individuals (Strauss and Corbin, 1988).

According to Ian Dey (1993), qualitative research has *perspective multisimplicity*, among other approaches oriented language (*language-oriented approach*), descriptive-interpretive approach and perspective approaches to development theory (*theory-building approach*). Constructivist research perspective, said by Newman (1997) aimed to study how people live in a social environment, or how one understands the social reality, the researchers not only need to interpret social action, but also the '*sharing*' and into the world of social life studied. Research of this type of constructivist, therefore need to understand how a person speaks and acts.

In the constructivist paradigm, the researcher is seen not as a subject to be taken outside the object but the researchers are part of an object that is observed. The results, therefore, be seen and not the result of observation (*objective*) between the observer with the observed. But instead, the result of the dynamic interaction between the researchers observed. In the constructivist paradigm cannot be described real reality that are beyond the living taken by investigators. Therefore, the constructivist view sees reality as something relative, reality only exists in the form of mental conception/construction, spread socially, local and specific course. Reality depends on how one interprets and understands. In this context, researchers took 32 informants apparatus in Bojonegoro regency, East Java Province.

3. Conceptual Framework

3.1. Perspective of Constructivism

Constructivism is a philosophy of knowledge that emphasizes knowledge is formed (construction) itself. Knowledge is not an imitation of reality, but is a result of the *cognitive construction* of a person's activity through making structures, categories, concepts, and schemes which are needed to establish knowledge.

Knowledge is considered correct if it is useful knowledge to confront and solve the problem or phenomenon accordingly. Knowledge cannot be transferred as such, but rather should be interpreted solely by each person. Knowledge is not something that already exists, but rather a process that is constantly evolving.

Epistemology as part of philosophy, studies about human knowledge and talk more about the formation of knowledge. According to Sapiro (1994), there are three basic tendencies to explain what and how knowledge

is created, namely: (1) knowledge is fact or reality, (2) knowledge is a process of formation, and (3) the need for more comprehensive scheme. For constructivism, knowledge cannot be simply transferred from one person to another, but should be interpreted solely by each person. Each person should construct their own knowledge. Knowledge is not something ready-made, but rather a process that is constantly evolving.

According to Stiver (1986), constructivism debate in the history of the philosophy of knowledge is in two dimensions namely external and internal. External dimensions refer to the objective dimension, while the internal dimension refers to world opinion (subjective). The rationalists declared that our knowledge refers to objects and that truth is the result of logical deduction. While the empiricists stated that our knowledge refers to the objects, but they use inductive reasoning with the evidence which is based on experience. They assume that all the facts were known through the senses and the criterion of truth are appropriate with the experience. The rationalists emphasize on ratio, logic and deductive knowledge, whereas the empiricists emphasize more on experience and inductive knowledge. If so, then constructivism is a synthesis of rational and empirical view or showing the interaction between subject and object, between the external and internal reality. Along the Stiver's point of view, Heather Kanuka, is trying to develop a position of constructivism epistemology into 4 (four) quadrants, namely: *'Co-Constructivism; Situated Constructivism; Cognitive-Constructivism; Radical Constructivism*.

3.2. Contesting of Meta Governance

The concept and idea of *global governance* have a wide variety of dimensions to frame the diverse comprehension. For Salamon, (2001) the outward of the idea and the concept of *'new governance'* can be seen as a revolution. These changes are not merely instrumental, but more to be fundamental, either the freedom of role or its basic form. Finally, the *'governance'* terminology is increased as a replacement or a proxy of *'public administration'* or *'public management'*.

The word *governance* comes from the Classic Greek word *Kybernan*, which means *to pilot, to steer and to direct*. These terms are very common, and then the concept evolved into *'corporate governance'* which is associated with the management and *control of the company*. On the other side, the term *'governance'* can also describe the effort of government or other actors to steer or guide the community in achieving collective goals or objectives.

The complexity of term *'governance'* can be found in the Stepehn Hindmoor Bell's and Andrew's (2009) writings on *Rethinking Governance: The Centrality of the State in Modern Society*. He tried to trace the debate that developed in late 19th century to early 20's who produce a variety of perspectives, whether philosophical, meta theory development to methodological application.

The expansion of the *'body of work'* in *governance* can be called as *'society-centered'*. This argument asserts that fundamental transformation, not only in the government actions and scale, but also the *basic forms'* (Salamon, 2002). Nevertheless, it is not meant as *'fundamental transformation'*, but only alternative part of governance strategies to keep a range of recognition along with the maintenance of control over the effectiveness of the rules. Therefore, the effectiveness of government now requires the countries to establish more strategic relationships with a network of non-country actors. For Donald Keetl, it is seen as an *'engagement process'* with respect to *'governmentalising'*.

The main theme of *society-centered* approachment is focused on cooperation and networking between the public and private sectors. For Mark Bevir and Rod Rhodes (2003), network is a characteristic to distinguish for markets and hierarchies. Network of policy is the name given to the formal and informal networks and exchanges that developed between the government and civil society associations, NGOs, and groups of interest in the policy arena.

The main preposition in *society-centered* approachment is the increased number of decision-making in the own management of the network policy (*self-organizing policy network*). Rod Rhodes (1997) defined governance in the terminology of *'self-organizing inter-organizational networks characterized by independence, exchange resources and shared acceptance of the 'rules of the game'*. For Mark Bevir (2007), the term governance is described as a *'transformation of the bureaucratic hierarchy to the market and to a larger network*. Second, along with the freedom of actors' involvement in the process of ruling, the challenge for the country is the presence of the government is slightly pushed out. As for Gerry Stoker (1998), "the essence of governance is focused on the ruling mechanisms that no longer rely on government sources of authority and sanction".

Relationship approach *society-centric* can be understood in two ways. First, the government through the hierarchy's control that is determined by the country is still alive and able to walk. Some areas such as defense, security, monetary policy continuously created and implemented through the country rather than through

mechanisms consultation. However, according to Michael Lister and David Marsh (2006), 'modern government covers the country and a more complex relationship with other government and social actors, but inevitably the reduction of the role and power. Second, many assumptions said that the government has been replaced or pushed out. When the government chose to rule through the market, associations and community involvement, they still maintain the responsibility to the *government on governance*. The country has played a role as a driver and co-ordinate government regulations; selection and support participation; mobilize resources, and ensure the freedom of governance system which operates fairly and effectively, and take responsibility for the issue of democracy and accountability.

John Pierre and Peter wrote about *Governing Complex Society*, which identifies 5 (five) country's models and their interactions with society in governance that is operated in this current democratic system, namely 1) *The Etatiste Model*. 2) *The Liberal-Democratic Model*. 3) *The State-Centric Model*. 4) *The So-Called Dutch School Governance Model*. 5) *The Government without Governance Model*. While Stepehn Bell and Andrew Hindmoor has distinguished five (5) current governance models, namely: a) Hierarchy, b) Persuasion, c) Market, d) Community Involvement, and e) Governance Association.

In another context, Stoker (2009) also offers a different perspective, where *Governance is about the rules of collective decision-making in settings where there are a plurality of actors or Organizations and where no formal control system can dictate the terms of the relationship between these actors and organizations*. That construction asserts that there is a diversity of perspectives in 'governance theory' meant to help forward the understanding of how the collective of decision-making process can fail or succeed. There are four elements of understanding, namely: First, make it clear what is the meaning of rule. The rules are embedded in the system of government can be expanded from the formal to the informal. Secondly, related to the concept of collective. 'Collective decision is a decision taken by a group of individuals in more clearly way. But most importantly, can reveal preferences through a variety of mechanisms agreed by agreeing the process of decision-making and the introduced results. Third, related to decision-making. A decision-making can be very strategic or related to the implementation of the system everyday practices within the organization. Collectively decide things need rules about who can decide what, and how decision-makers should be made accountably. Fourth, in the definition of a good government, something needs to be considered is the existence of the ideas about 'no formal control systems that can be dictated', interconnected and give results. Or in other words: governance is a world where 'no one is in charge' or as '*monocratic government*', that is the arrangement by a person as the opposite of governance management, on how to govern collectively. Characteristics form of social interactions in the government depends on the negotiations, signaling, communications and hegemonic influence rather than the direct control and supervision (direct oversight and supervision).

4. Analysis

The concept of 'good governance system' has emerged as a new knowledge that reflects the results of the reconstruction and reinterpretation back to knowledge about the government. The knowledge is raised in line with the expansion of the ideas of neo liberalism and neo-institutionalism that strengthens the assumption of authority decentralization, deregulation and restructuring will affect in higher efficiency and effectiveness for the organization.

Nevertheless, the concept or idea of governance system also has undergone evolution and metamorphosis that ultimately has a variety of meanings according to the context and its importance. This suggests that 'knowledge' is eternal, but 'knowledge about something' in the social sciences will never be lasting, but continued to proceed to be re-interpreted and constructed to be something new.

In line with this study, it appears that 32 apparatus had been able to make sense of GLG as a universal norms and values that guide the organization of government in the region, both in carrying out the construction or the service functions. In clarifying a meaning of GLG can be categorized into 4 (four) things: 1). GLG construction as 'the law and rule enforcement', 2) Construction GLG as 'accountability and transparency', 3) Construction of GLG as 'excellent service', 4) Construction GLG as 'empowerment and community welfare'.

Although the apparatus subjectively been able to build the larger narrative, but the construction of the building is more understood as a process of dialogue, interaction, adaptation and internalization that mostly influenced by the circumstances where the apparatus are and by their social context and bureaucracy.

Context of the Internal Rules of Bureaucracy. Since the change of government system from a centralized to a decentralized, there have a lot of rules and policies that must be adapted or modified to meet the objectives of decentralization, both in process or outcome. One of the policy changes such as the release of Law

No. 22/1999 on regional autonomy and Law No. 25/1999 on Financial Relations between Central and Local Government, which has been replaced by Law No. 32/2004 and Law No. 33/ 2004.

The emergence of those two Laws can be assessed as a milestone and a new chapter in the government system. The term 'decentralization' has become a 'symbol of freedom' and the 'symbol of hope' for apparatus and communities in the region. The symbol of freedom represents the reduction or loss of power repression of central government to the regions, while 'symbol of hope' better represent the existence of local authority and power to manage their own government. The emergence of those two Laws may also be assessed as well as the 'system of government peaceful revolution'. In line with the objectives of decentralization, it has been emerged variety of other policies, such as Law No. 17/ 2003 on State Finance; Law No. 1/2004 on State Wealth; Law No. 15/2004 on Inspection and State Financial Responsibility; Law No. 25/2004 on National Development Planning System. and Law No. 10/ 2004 on the Establishment of Legislation Regulation which was later replaced by Law No. 12/2011.

In order to implement the realization to the objective of decentralization and good local governance system, so there have emerged some internal bureaucratic rules that are 'technically implementative', such as Government Regulation No. 23/2005 on the Management of Public Service; Government Regulation No. 54/2005 about 2005 on the existing loan; Government Regulation No. 55/ 2005 on the Fund Balance; Government Regulation No. 56 on the Financial Information System Regional Government Regulation No. 57/2005 on Grant; Government Regulation No. 58/2005 on the Financial Management of Regional Government ; Government Regulation No. 65/2005 on Guidelines for the Preparation and Implementation of Minimum Service Standards; Government Regulation No. 79/2005 on Guidelines, Development and Supervision Local Government organizing;

In addition to these regulations, other regulations have been emerged, the Government Regulation No. 08/2006 on Financial Reporting and Performance of Government Agencies; Government Regulation No. 13/2006 on Regional Financial Management Guidelines, as amended by Regulation of the Minister of Home Affairs No. 59/2007; Government Regulation No. 3/2007 on Regional Government organizing report to the government ; Government Regulation No. 38/2007 concerning Government administration Division among Governments, Provincial Government and Regency / City Government.

Along with the emergence of those various products law, whether in the form of Law, Government Regulation and the Minister Regulation can be seen that the existence of the bureaucracy depends on the internal rules of the bureaucracy itself. Bureaucratic rule is not simply meant as a guidance or instruction to run errands for the organization or the authorities, but bureaucratic rules can be interpreted as a binding method and repression of the way of thinking and acting for institution or its apparatus.

Bureaucratic rule was not only capable of simply displaying products structured and shaped by the central government directed or intended for governmental activities in the region, but in the area itself also has the authority to draw up a legal product areas, whether in the form of local or regent bylaw.

Along with that has also emerged various legal product areas law in order to realize good local governance system, as Local Bylaw No. 1/2008 on Income Supplement Civil Servants in the domain of Bojonegoro Government; Local Bylaw No. 3/2008 on the Principles of Financial Management: Local Bylaw No. 6/2008 on the organizational structure and working arrangement Regional Secretariat and the Secretariat of the Regional House of Representatives; Local Bylaw No. 7/2008 on the Organizational Structure and Work Agency Regency Bojonegoro; Local Bylaw No. 8/2008 on the Organization and Work Inspectorate, Regional Planning Agency and the Regional Technical Institute; Local Bylaw No. 9/2008 on the Organization and Administration of District and Village Government at Regency Bojonegoro; Local Bylaw No. 10/2008 on the Organization and Administration of Civil Service Police Unit Regency Bojonegoro; Local Bylaw No. 11/2008 on the Organization and other working institutions Regency Bojonegoro; Local Bylaw No. 13/2008 on the Development Plan regency Bojonegoro 2009-2013. In addition to those local Bylaws, there are many other regulations emerged, like the regent bylaw as technical guidance.

Looking at the reality, the diversity of internal bureaucratic rules embodied in various forms of legal products such Law, Government Regulation, Ministry regulation, Local Bylaw or Regent Bylaw has become part of the life of bureaucracy itself. Without the rule of bureaucracy, the government may not be able to run. Without the rule of the bureaucracy, the police cannot work. Relations and a union between the product of laws with the existence apparatus becomes very high and has a strong dependence.

In line with the context, so the production of knowledge about GLG that relate to 'the law and rule enforcement'; 'accountability and transparency'; 'excellent service'; 'empowerment and community welfare' can be said to have a relationship with **"the context of the Internal Rules of Bureaucracy"** itself. In addition, the

simultaneous production of knowledge produced by the apparatus can also be influenced by other entities, that are the **"context of the local bureaucracy transition"** from the classic bureaucratic model to a modern one.

Context of the local bureaucracy transition may involve the availability of rules, regulations or policy matter, way of thinking and acting based on managerialism. The release of a variety of local bylaw in 2008, from No. 1 to 13, showed that bureaucracy transition has taken place and walked in Bojonegoro regency.

Because 'the local bureaucracy transitional context' continues to proceed in Bojonegoro regency, it is not surprising that the understanding and knowledge of the apparatus to reality becomes very thick. Bureaucratic processes of transition in progress to date can be understood as a means of socialization, internalization and transformation of knowledge. 'Context of Local Bureaucracy transition' also affects the knowledge that is formed by the apparatus when construct GLG change as 'change of policy areas, change management Human Resources and Finance and change services and community welfare'.

Basing on this, the **"Internal Rules of Local Bureaucracy"** and **"Context transitional local bureaucracy"** have an influence on the formation of new knowledge about GLG constructed as 'law and rule enforcement'; 'accountability and transparency'; 'excellent service'; 'empowerment and community welfare'. Nevertheless, the process of knowledge formation for the apparatus, is not merely explained only descriptively by the influence of the social context, but it can also be known from the position of their epistemology constructivism.

The concept or knowledge of 'the law and rule enforcement'; 'accountability and transparency'; 'excellent service'; 'empowerment and community welfare', seems to have become **an objective external reality**.

As an objective external reality, the concept of good governance has become a 'global paradigm' is used as a "way of thinking and acting" for all actors concerned to change the governance structure be considered less good order conditions are more responsible governance, transparent and responsive.

As an objective external reality, the term and the concept are beyond human consciousness and there is always existence for every one. In addition, the emergence of the concept can also be understood as the result of **"social construction"**. Because of the knowledge that can be built better reflecting the process of acculturation of knowledge as **"an objective external reality"** and knowledge as **"social construction"**, then his epistemology position is on **Co- Constructivism**.

This means that GLG as 'the law and rule enforcement'; 'accountability and transparency'; 'excellent service'; 'empowerment and community welfare' are constructed subjectively by the apparatus as individuals and are influenced by the "context of the Internal Rules of Bureaucracy" and "Context transition local bureaucracy" that reflects managerialism not reflecting new knowledge, but merely strengthen or legitimize existing knowledge. For Piaget, the process of knowledge creation can be interpreted as 'assimilation'. As for Kukla as 'causal constructivism' and Alan regards as 'reality'.

5. Conclusion

Although the ideas of thought or stream of constructivism is still covered by the doubts, the conflict or the low recognition among scientists, but as an idea in mind, the existence of constructivism as a way of thinking, means or methods of analysis tools, will never die or cease to be interpreted back in order to produce a new entity.

In line with this study, it appears that apparatus have been able to make sense of GLG as a universal norms and values that guide the organization of government in the region, both in the construction and carry out the functions of the service functions. *GLG can be constructed as the characteristic values and norms that have relationships with four (4) categories of entities*, namely: a). Construction GLG as a "the law and rule enforcement", b). Construction GLG as "accountability and transparency", c). Construction GLG as a "excellent service". d). Construction GLG as "empowerment and community welfare".

Along with the construction results, it seems that the way of thinking of the apparatus in constructing an understanding of the principles of GLG more influenced by "classic bureaucratic context" and "context transitions bureaucracy". Because knowledge is built better reflecting the process of acculturation of knowledge as "an objective external reality" and knowledge as "social construction", the epistemology position is on Co-Constructivism. That is, GLG were interpreted subjectively by the apparatus and is influenced by the "Classical bureaucratic context" such as the law and the rules enforcement and "transitional context of local bureaucracy" in perspective managerialism such as accountability and transparency, excellent service, empowerment and welfare of society, is not new knowledge, but merely reinforces existing knowledge.

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